## UTILITY TRANSMITTAL

Signature

Attorney Docket No. 1421-139 William H. EBY Soybean Cultivar S022209

Date

August 29, 2003

PATENT APPLICATION First Inventor Title (Only for new nonprovisional applications under 37 CFR 1.53(b)) X Assignee Information: Stine Seed Farm, Inc. and Monsanto Technology LLC Adel, lowa St. Louis, Missouri ADDRESS TO: APPLICATION ELEMENTS **Mail Stop Patent Application** See MPEP chapter 600 concerning utility patent application contents. **Commissioner for Patents** P.O. Box 1450 Alexandria, VA. 22313-1450 1. X Fee Transmittal Form 7. CD-ROM or CD-R in duplicate, large table or Computer Program (Submit an original, and a duplicate for fee processing) 8. Nucleotide and/or Amino Acid Sequence Submission Applicant claims small entity status. a. Computer Readable Form (CRF) Total pages [34] 3. X Specification (preferred arrangement set forth below) b. Specification Sequence Listing on: - Descriptive title of the invention - Cross references to Related Applications i. CD-ROM or CD-R (2 copies); or - Statement Regarding Fed sponsored R&D ii. paper - Reference to sequence listing, a table or a computer program listing appendix c. Statement verifying identity of above copies - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings ACCOMPANYING APPLICATION PARTS - Detailed Description 9. X Assignment Papers (cover sheet & document(s)) - Claims 10. 37 CFR 3.73(b) Statement - Abstract of the Disclosure (when there is an assignee) 4. Drawing(s) (35 USC 113) (Total Sheets) [ ] Power of Attorney 5. X Oath or Declaration (Total Pages) [1] 11. English Translation Document (if applicable) a. X Newly executed (original or copy) 12. Information Disclosure Statement /PTO 1449 b. Copy from a prior application Copies of IDS Citations (37 CFR 1.63(d) 13. Preliminary Amendment (for continuation/divisional with Box 17 completed) 14. X Return Receipt Postcard (MPEP 503) [Note Box 5 below] (Should be specifically itemized) i DELETION OF INVENTOR(S) 15. Certified Copy of Priority Document(s). Signed statement attached deleting 16. Request and Certification under 35 U.S.C. inventor(s) named in the prior application, 122(b)(2)(B)(i). 6. X Application Data Sheet. 17. X Other: Certificate of Express Mail Label EV194472242US 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76:: Continuation Divisional Continuation-in-part (CIP) of prior application No.: Prior application information: Examiner Group/Art Unit For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. X Customer Number or Bar Code Label 32905 Address Jondle & Associates PC 9085 East Mineral Circle, Suite 200 State CO Zip Code 80112 City Centennial 303-799-6444 Fax 303-799-6898 Country U.S.A. Telephone Name Robert J. Jondle, Ph.D

171		C	Complete if Known
29 FEE TRANS		Application Number	10/
FEE TRANS	MITTAL	Filing Date	
tor FY 2	UUT titv)	First Named Inventor	William H. EBY
o (Luigo Lii		Examiner Name	
		Group Art Unit	
Total Amount of Payment	(\$)984.00	Attorney Docket Number	N1421-139

The Commissioner is hereby autiadditional fees and credit any over Deposit Account Number 50-236 Jondle & Associates PC  Charge any Additional Fee Requiated Tee Tee Tee Tee Tee Tee Tee Tee Tee T	erpayment to 58 in the name of ired Under	3. AE Fee Code 105 127 139 147 112	DDITIOI Fee Paid 130 50 130 2,520	Fee Description Surcharge - late filing fee or oath Surcharge - late provisional filing fee or cover sheet Non-English specification	Fee Paid [ ] [ ]
Deposit Account Number 50-236 Jondle & Associates PC  Charge any Additional Fee Requi 37 CFR 1.16 and 1.17  Applicant claims small entity state	68 in the name of	Code 105 127 139 147	Paid 130 50	Surcharge - late filing fee or oath Surcharge - late provisional filing fee or cover sheet	[ ]
Jondle & Associates PC Charge any Additional Fee Requi 37 CFR 1.16 and 1.17 Applicant claims small entity state	ired Under	105 127 139 147	130 50 130	Surcharge - late filing fee or oath Surcharge - late provisional filing fee or cover sheet	[ ]
Charge any Additional Fee Requi 37 CFR 1.16 and 1.17 Applicant claims small entity stat		127 139 147	50 130	Surcharge - late provisional filing fee or cover sheet	[ ]
37 CFR 1.16 and 1.17  Applicant claims small entity stat		139 147	130	or cover sheet	[ ]
37 CFR 1.16 and 1.17  Applicant claims small entity stat		147			
37 CFR 1.16 and 1.17  Applicant claims small entity stat		147		Non-English specification	
Applicant claims small entity stat	us		2.520		{ }
•	us	112		For filing a request for reexamination	[ ]
•	us		920	Requesting publication of SIR	[ ]
Payment Enclosed				prior to Examiner action	
Payment Enclosed		113	1,840*	Requesting publication of SIR	[ ]
				after Examiner action	
X Check		115	110	Extension for reply within first month	[ ]
=		116	400	Extension for reply within second month	[ ]
Credit Card					[ ]
					[ ]
LCULATION			1,960		[ ]
			320		[ ]
IC EEE		120		Filing a brief in support of an appeal	[ ]
		121	280	Request for Oral Hearing	[ ]
Ī	Can Date	138	1,510	Petition to institute a public use proceeding	[ ]
		140	110	Petition to revive -unavoidable	ĺ
	[740.00 ]	141	1,280	Petition to revive - unintentional	ĺ
	į į	142	1,280	Utility issue fee (or reissue)	į į
	j	143	460	Design issue fee	ĺĺ
	j j	144	620	Plant issue fee	ĺ
O Provisional Filing Fee	1 1	122	130	Petitions to the Commissioner	i i
		123	50	Processing fee under 37 CFR 1.17(q)	į į
SUBTOTAL	\$740.00	126	180	Submission of Information Disclosure Statement	i i
IMS		581	40		[40.00]
		146	740		[ ]
	Fee Fee				
		149	740		[ ]
ms $[22 \ ] - 20^{**} = [2 \ ] x$	\$18 = [36]				
	4.0 (00 ]	179	740		1 1
	84 = (168 1	169	900		i i
Sportagin diaming	200 [ ]	195	300		ſ 1
er previously paid if greater:					. ,
or providucity para, ir greater,		196	300	•	1 1
CUDTOTAL	¢204.00				1
SUBTUTAL	\$204.00				+ 1
					į į
		* Redu	ced by Ba	asic Filing Fee Paid SUBTOTAL	\$40.00
143143	Credit Card  ALCULATION  NG FEE  Be \$ Fee Description 40 Utility filing fee 30 Design Filing Fee 40 Reissue Filing Fee 50 Provisional Filing Fee 50 SUBTOTAL  IMS  Extra Claims  ims [22] - 20** = [2] x ent [5] - 3** = [2] x per previously paid, if greater;  SUBTOTAL	ALCULATION  NG FEE  See  \$ Fee Description Fee Paid  40 Utility filing fee [740.00]  30 Design Filing Fee [ ]  40 Plant Filing Fee [ ]  40 Reissue Filing Fee [ ]  50 Provisional Filing Fee [ ]  SUBTOTAL \$740.00  SUBTOTAL \$740.00  IMS  Extra  Claims Fee Fee  Ims [22] - 20** = [2] x \$18 = [36]  Interpreviously paid, if greater;	ALCULATION  118  ALCULATION  119  NG FEE  120  \$ Fee Description Fee Paid Fee Paid Fee Paid Fee Paid Fee Fee Paid Fee Fee Paid Fee Fee Fee Fee Fee Fee Fee Fee Fee Fe	ALCULATION  118 1,440 128 1,960 119 320 119 320 119 320 119 320 120 320 121 280 121 280 121 280 121 280 121 280 121 280 121 280 121 280 121 280 122 138 1,510 128 1,960 129 138 1,510 140 1110 140 1110 140 1110 140 1110 140 110 141 1,280 141 1,280 140 Reissue Filing Fee [ ] 142 1,280 140 Reissue Filing Fee [ ] 144 620 150 Provisional Filing Fee [ ] 122 130 123 50 124 125 130 125 180 18MS  Extra Claims Fee Fee 149 740 15 ] - 3** = [2 ] x \$18 = [36 ] 179 740 180 181	ALCULATION  118 1,440 Extension for reply within fourth month 128 1,960 Extension for reply within fifth month 129 320 Filling a brief in support of an appeal 120 320 Filling a brief in support of an appeal 121 280 Request for Oral Hearing 128 Petition to institute a public use proceeding 129 Petition to revive - unavoidable 138 1,510 Petition to revive - unavoidable 140 Utility filing fee [ ] 141 1,280 Petition to revive - unintentional 150 Design Filing Fee [ ] 142 1,280 Utility issue fee (or reissue) 151 Plant Filing Fee [ ] 144 620 Plant issue fee 152 130 Provisional Filing Fee Petitions to the Commissioner 153 50 Processing fee under 37 CFR 1.17(q) 154 180 Submission of Information Disclosure Statement 155 40 Recording each patent assignment per property 155 40 Recording each patent assignment per property 156 180 Submission after final rejection 157 1-3** = [2] x \$18 = [36] 159 179 740 Request for Continued Examination 150 179 740 Request for expedited examination 151 189 196 300 Publication fee for reply within fourth month 152 Extension for reply within fifth month 152 120 20 Filling a brief in support of an appeal 150 Request for Coval Hearing 151 122 1280 Petition to institute a public use proceeding 151 142 1,280 Petition to institute a public use proceeding 158 141 1,280 Petition to institute a public use proceeding 158 142 1,280 Petition to revive - unintentional 158 1,280 Petition to revive - unintentional 158 1,280 Petition to revive - unintentional 151 1,280 Petition to revive - unintentional 151 1,280 Petition to revive - unintentional 152 1,280 Petition to revive - unintentional 153 1,280 Petition to revive - unintentional 159 Submission of Information Disclosure 150 179 179 179 Petition to revive - unintentional 150 179 179 179 179 179 179 179 179 179 179

SUBMITTED BY	Complete (if applicable)					
NAME AND REG. NUMBER	"" I DODEN J JOHNE KEN NO 33 9 D					
SIGNATURE	Long mills	DATE	August 29, 2003	DEPOSIT ACCOUNT USER ID		
	Die of		<u> </u>			

## Certificate of Mailing by Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 29th day of August 2003. The number of the Express Mail mailing label is EV194472242US.

Robert J. Jondle

Reg. No. 33,915

August 29, 2003